

AMENDED

Serial No. 39042

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 12 1979

Returned to applicant for correction

Corrected application filed Map filed MAR 3 1980 under 39041

The applicant Robert O. Burnham and Elaine W. Burnham

Diamond Valley Rt., Box 33 of Eureka

Street and No. or P.O. Box No.

City or Town

Nevada 89316

State and Zip Code No.

hereby make application for permission to change the

point of diversion and a portion of the place of use

of water heretofore appropriated under Permit No. 35192

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is Underground
Name of stream, lake, underground, spring or other source.
- The amount of water to be changed 2.70 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for irrigation.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore used for irrigation.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T.23 N., R.54 E.,
M.D.B. & M. or at a point from which the W $\frac{1}{2}$ corner of said Section 29 bears
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
N. 45° 00' W. for a distance of 100.00 feet.
stated.
- The existing point of diversion is located within SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, T.23 N., R.54 E.,
M.D.B. & M. or at a point from which the SE corner of Section 32, T.23 N.,
If point of diversion is not changed, do not answer.
R.54 E., M.D.B. & M. bears S. 26° 59' E. for a distance of 6030.0 feet.
- Proposed place of use SW $\frac{1}{4}$ of Section 29, T.23 N., R.54 E., M.D.B. & M. (160 acres)
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use W $\frac{1}{2}$ of Section 29, T.23 N., R.54, E., M.D.B. & M. (320 acres)
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use has been from January 1 to December 31 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, necessary pipeline and
State manner in which water is to be diverted, whether by dam or other works,
sprinkler system.
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$50,000
13. Estimated time required to construct works.....Four years.
14. Estimated time required to complete the application of water to beneficial use.....Five years.
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared lp/jk gk/ja Applicant Robert O. & Elaine W. Burnham

By /s/ Charles C. Armuth, Jr.
Charles C. Armuth, Jr., P.E. - R.L.S.
1150 Lamoille Highway
Elko, Nevada 89801

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 35192 is issued subject to the terms and conditions imposed in said Permit 35192 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....2.7.....cubic feet per second, but not to exceed a

yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....February 5, 1981

Proof of commencement of work shall be filed before.....March 5, 1981

Work must be prosecuted with reasonable diligence and be completed on or before.....February 5, 1982

Proof of completion of work shall be filed before.....March 5, 1982

Application of water to beneficial use shall be made on or before.....February 5, 1984

Proof of the application of water to beneficial use shall be filed on or before.....March 5, 1984

Map in support of proof of beneficial use shall be filed on or before.....March 5, 1984

Commencement of work filed.....MAR 18 1981

Completion of work filed.....MAR 19 1981

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this.....5th.....day of.....AUGUST.....
A.D. 19.....80

William J. Newman
State Engineer

2407 (Rev. 10-79)

49186 0.29 c.f.s.
49187 0.14 c.f.s.
49188 2.12 c.f.s.
49189 0.15 c.f.s.